

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ Delta, LLC,
Plaintiff,

v.

CommScope Holding Company, Inc., *et al.*,
Defendants.

Civil Action No.: 2:21-CV-00310-JRG

JURY TRIAL DEMANDED

**TQ DELTA, LLC'S NOTICE OF CORRECTED FINAL ELECTION OF ASSERTED
CLAIMS**

TQ Delta, LLC hereby provides this corrected notice of its final election of Asserted Claims, as ordered by the Court's Fifth Amended Docket Control Order (Dkt. No. 458). Counsel for CommScope informed TQ Delta on March 9, 2023 that CommScope does not oppose this correction.

This notice corrects an error in TQ Delta's Notice of Final Election of Asserted Claims (Dkt. No. 490). Specifically, TQ Delta erroneously dropped independent claim 17 of the '881 Patent and asserted dependent claim 23 of the '881 Patent, which depends from claim 17. TQ Delta informed counsel for CommScope of this error on March 8, 2023, that TQ Delta intends to assert independent claim 17 of the '881 Patent, and that TQ Delta intends to drop dependent claim 23 of the '881 Patent. The number of asserted claims and patents remains the same (seven claims across seven patents). The only change is to assert independent claim 17 of the '881 Patent instead of dependent claim 23. CommScope does not oppose this correction.

This corrected final election of Asserted Claims replaces the Final Election of Asserted Claims TQ Delta previously provided pursuant to the Court's Fifth Amended Docket Control Order. TQ Delta hereby elects the following claims for trial:

- U.S. Patent No. 7,570,686, Claim 36;
- U.S. Patent No. 7,453,881, Claim 17;
- U.S. Patent No. 8,276,048, Claim 5;
- U.S. Patent No. 8,090,008, Claim 14;
- U.S. Patent No. 8,462,835, Claim 10;
- U.S. Patent No. 8,468,411, Claim 18; and
- U.S. Patent No. 9,154,354, Claim 10.

Dated: March 9, 2023

Respectfully Submitted,

/s/William E. Davis, III

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TQ DELTA, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document and all attachments thereto are being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served this March 9, 2023 on all counsel of record, each of whom is deemed to have consented to electronic service. L.R. CV-5(a)(3)(A).

/s/William E. Davis, III
William E. Davis, III